

**Enrolled Minutes of the Fifty-sixth Regular or Special Meeting
For the Twenty-Seventh Highland Town Council
Regular Meeting
Monday, March 10, 2014**

Study Session. The Twenty-Seventh Town Council of the Town of Highland, Lake County, Indiana met in a study session preceding the regular meeting on Monday, March 10, 2014 at 6:45 O'clock P.M. in the regular place, the meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

Silent Roll Call: Councilors Bernie Zemen, Mark Herak, Dennis Adams, Konnie Kuiper and Dan Vassar were present. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

General Substance of Matters Discussed.

1. The Town Council discussed the agenda of the imminent regular meeting.
2. The Town Council discussed overtime for salaried exempt supervisory workers and whether the matter should be brought before the Town Council as provided in the current Compensation and Benefits Ordinance. It was noted that this matter would be addressed and presented as a part of a larger modification recommendation that would come from an Ad Hoc Compensation Committee, to which the Town Council informally assented in a recent study sessions.
3. The Town Council discussed the costs associated with the acquisition of the four lots next to the current municipal building and whether these were included in the cost estimates for the Police Station Construction Project. The discussion included whether some or any were financed with the expectation of repayment at the time of the bond sale.

The study session ended at 7:00 O'clock p.m.

Regular meeting. The Twenty Seventh Town Council of the Town of Highland, Lake County, Indiana met in its regular session on Monday, March 10, 2014 at 7:03 O'clock P.M. in the regular place, the plenary meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

The Town Council President, Dan Vassar, presided and the Town Clerk-Treasurer, Michael W. Griffin, was present to memorialize the proceedings. The meeting was opened with Councilor Konnie Kuiper reciting the Pledge of Allegiance to the Flag of the United States of America and offering a prayer.

Roll Call: Present on roll call were Councilors Bernie Zemen, Mark Herak, Dennis Adams, Konnie Kuiper and Dan Vassar. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

Additional Officials Present: Rhett L. Tauber, Town Attorney; John M. Bach, Public Works Director; Peter Hohnicki, Metropolitan Police Chief; Kenneth Mika, Building Commissioner; William R. Timmer, Jr., CFOD, Fire Chief; Alex M. Brown, CPRP, Parks and Recreation Superintendent; and Cecile Petro, Redevelopment Director were present.

Also present: Steve Mileusnich of the Advisory Board of Zoning Appeals; Jared Tauber, Attorney at Tauber Law Offices; Ed Dabrowski IT Director (Contract); Larry Moes, Town Board of Metropolitan Police Commissioners; Police Commander George Georgeff, Metropolitan Police Department; Randy Bowman, Assistant Inspector for Electrical; and Scott Cherry, Senior Vice President Skillman Corporation, were also present.

Minutes of the Previous Meetings:

The minutes of the regular meeting of February 24, 2014 were approved by general consent.

Special Orders:

- Advisory Board of Zoning Appeals Docket:** Petition for a Use Variance for property located 2427 Ridge Road, **Highland**, to allow use of the property as a *Urgent Care Animal Hospital* in property which is currently zoned as B-2 Central Business District. Petitioner: **Chester Incorporated c/o Tony Peugeot, 555 Eastport Centre Drive, Valparaiso, IN 46383**. The Advisory Board of Zoning Appeals by a vote of five (5) in favor and zero (0) opposed, acted to **favorably recommend the request for the use variance** for the property, contingent upon petitioner only allowing medial patient boarding as opposed to regular animal boarding on premises. The ABZA acted at its meeting of 22 January 2014. The findings of fact were memorialized and the board approved the facts in written form at its meeting of 26 February 2014. (90 days ends 22 April 2014).

Pursuant to IC 36-7-4-918.6, the Town Council may either accept the favorable recommendation and GRANT the requested use variance or it may reject (over rule) the favorable recommendation and DENY the use variance.

Councilor Herak moved that the favorable recommendation be accepted and that the use variance be granted subject to the conditions fixed by the Advisory Board of Zoning Appeals. Councilor Zemen seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The use variance was granted.

Staff Reports:

The Clerk-Treasurer read the following reports into the record.

• **Building & Inspection Report for January 2014**

Permit	Number.	Residential	Commercial	Est. Cost	Fees
Commercial Buildings:	1	0	1	\$1,556,000.00	\$17,505.50
Commercial Additions or Remodeling:	3	0	3	\$323,700.00	\$4,367.50
Signs:	3	0	3	\$5,678.00	\$796.50
Single Family:	0	0	0	\$0.00	\$0.00
Duplex/Condo:	0	0	0	\$0.00	\$0.00
Residential Additions:	0	0	0	\$0.00	\$0.00
Residential Remodeling:	22	22	0	\$195,528.00	\$3,121.00
Garages:	0	0	0	\$0.00	\$0.00
Sheds:	0	0	0	\$0.00	\$0.00
Decks & Porches:	1	1	0	\$921.00	\$133.50
Fences	0	0	0	\$0.00	\$0.00
Swimming Pools	0	0	0	0	\$0.00
DrainTile/ Waterproofing	0	0	0	\$0.00	\$0.00
Misc.	3	1	2	\$124,126.00	\$1,774.50
TOTAL:	33	24	9	\$2,205,953.00	\$27,698.50
Electrical Permits	11	4	7		\$1,398.50

Mechanical Permits	7	5	2		\$587.50
Plumbing Permits	9	4	5		\$1,402.35
Water Meters	7	2	5		\$1,743.00
Water Taps	0	0	0		\$0.00
Sewer/Storm Taps	0	0	0		\$0.00
TOTAL Plumbing:	16	6	10		\$3,145.35

January Code Enforcement:

Investigations: 311
Citations: 46

January Inspections:

Building: 15 Electrical: 27 Plumbing: 8 HVAC: 2
Electrical Exam: 3

• Building & Inspection Report for February 2014

Permit Type	Number	Residential	Commercial	Est. Cost	Fees
Commercial Buildings:	2	0	2	\$950,000.00	\$11,229.00
Commercial Additions or Remodeling:	3	0	3	\$51,450.00	\$1,386.50
Signs:	11	0	11	\$129,439.00	\$4,163.50
Single Family:	0	0	0	\$0.00	\$0.00
Duplex/Condo:	0	0	0	\$0.00	\$0.00
Residential Additions:	0	0	0	\$0.00	\$0.00
Residential Remodeling:	25	25	0	\$157,314.00	\$3,007.50
Garages:	0	0	0	\$0.00	\$0.00
Sheds:	0	0	0	\$0.00	\$0.00
Decks & Porches:	0	0	0	\$0.00	\$0.00
Fences	0	0	0	\$0.00	\$0.00
Swimming Pools	0	0	0	0	\$0.00
Drain/Tile/ Waterproofing	2	2	0	\$23,008.00	\$388.00
Misc.	0	0	0	\$0.00	\$0.00
TOTAL:	43	27	16	\$1,311,211.00	\$20,174.50
Electrical Permits	11	5	6		\$992.50
Mechanical Permits	5	5	0		\$397.50
Plumbing Permits	0	0	0		\$0.00
Water Meters	0	0	0		\$0.00
Water Taps	0	0	0		\$0.00
Sewer/Storm Taps	0	0	0		\$0.00
TOTAL Plumbing:	3	3	0		\$314.00

February Code Enforcement:

Investigations: 176
Citations: 23

February Inspections:

Building: 18 Electrical: 26 Plumbing: 8 HVAC: 1
Electrical Exam: 2

• **Fire Department Report for January 2013**

	Month	1st half of year
General Alarms	17	17
Still Alarms	15	15
Paid still alarms	2	2
Total:	34	

• **Fire Department Report for February 2013**

	Month	1st half of year
General Alarms	8	25
Still Alarms	7	22
Paid still alarms	3	5
Total:	18	

• **Workplace Safety Report for Revised January 2014**

There were four incidents. The following incident summary was filed:

Department	Injuries this Month	Year to Date 2014	Total in 2013	Restricted Days 2014	Lost Workdays This Year (2014)	Restricted Days Last Year (2013)	Lost Workdays Last Year (2013)
Parks	0	0	2	0	0	0	0
Fire	0	0	1	0	0	0	0
Police	1	1	8	0	0	0	0
Street	0	0	4	0	0	43	0
Water & Sewer	1	1	3	0	0	10	0
Maint.	1	1	0	0	0	0	0
Other	1	1	4	0	0	0	0
TOTALS	4	4	22	0	0	149	0

Effective January 1, 2002, OSHA changed the record keeping guidelines. The municipality now counts the number of days lost from the day after the injury until the employee returns to work. Weekend, holidays, vacation days or other days scheduled off are included in the lost days count to a maximum of 180 days.

• **Workplace Safety Report for February 2014**

There were three incidents. The following incident summary was filed:

Department	Injuries this Month	Year to Date 2014	Total in 2013	Restricted Days 2014	Lost Workdays This Year (2014)	Restricted Days Last Year (2013)	Lost Workdays Last Year (2013)
Parks	0	0	2	0	0	0	0
Fire	0	0	1	0	0	0	0
Police	1	2	8	0	1	0	0
Street	0	0	4	0	0	43	0
Water & Sewer	2	3	3	2	12	10	0
Maint.	0	1	0	0	0	0	0
Other	0	1	4	0	0	0	0
TOTALS	3	7	22	2	13	149	0

Effective January 1, 2002, OSHA changed the record keeping guidelines. The municipality now counts the number of days lost from the day after the injury until the employee returns to work. Weekend,

holidays, vacation days or other days scheduled off are included in the lost days count to a maximum of 180 days.

Unfinished Business and General Orders:

1. **Resolution No. 2014-08:** A Resolution of the Fiscal Body Approving the Form of LEASE and Authorizing a Public Hearing on the Matter on March 24, 2014 at 7:00 p.m.

Councilor Adams moved the passage and adoption of Resolution No. 2014-08. Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The resolution was adopted.

**TOWN OF HIGHLAND
RESOLUTION NO. 2014-08
RESOLUTION APPROVING FORM OF LEASE**

WHEREAS, Highland Public Building Corporation has been organized pursuant to the Indiana not for profit corporation act for the purpose of constructing and equipping facilities for the use of the Town of Highland; and

WHEREAS, preliminary drawings, plans, specifications and estimates for the cost of the construction and equipping of the new police station have been prepared; and

WHEREAS, said preliminary drawings, plans, specifications and estimates have been submitted to and now meet with the approval of the Town Council; and

WHEREAS, a proposed lease for the Town Hall and new police station has been submitted to the Town Council; and

WHEREAS, it now appears to the Town Council that said preliminary drawings, plans, specifications and estimates provide the necessary facilities for the citizens of the Town of Highland, and that the proposed lease with Highland Public Building Corporation, as Lessor, provides for a fair and reasonable rental; now therefore

BE IT RESOLVED, that the terms and conditions of the proposed form of lease and preliminary plans, specifications and estimates are approved and agreed to as the basis for a hearing, as required by law, and that such hearing should be held by the Town Council upon the necessity for the execution of such lease and whether the lease rental provided therein is a fair and reasonable rental for the proposed use of the Town Hall and construction and equipping of the new police station, prior to final determination of such questions, so that the Town Council may determine whether to execute such lease as now written, or as modified, said hearing to be held on March 24, 2014, at 7:00 p.m. at the Town Hall, Highland, Indiana.

BE IT FURTHER RESOLVED, that the Clerk-Treasurer is authorized and directed to publish a notice of such hearing as required by law.

BE IT FURTHER RESOLVED, that the Clerk-Treasurer and the President of the Town Council are hereby authorized and directed to hire two appraisers to determine the appraised value of the real estate included in the lease and the existing Town Hall as required by the provisions of Indiana Code 36-7-10.

DULY RESOLVED AND ADOPTED this 10th day of March, 2014, by the Town Council for the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

/s/ Dan Vassar, President, Town Council

/s/ Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/ CMO,
Clerk-Treasurer, Town of Highland

- Works Board Order No. 2014-05:** An Order Authorizing and Approving an Agreement between O.W. Krohn & Associates, LLP and the Town of Highland to Perform Professional Financial Reporting and Support Services. (Terms unchanged from previously approved agreement. Payments came in below the not to exceed amount in previous year.)

Councilor Kuiper moved the passage and adoption of Works Board Order No. 2014-05. Councilor Adams seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The works board order was adopted.

THE TOWN OF HIGHLAND
ORDER of the WORKS BOARD NO. 2014-05

An Order Authorizing and Approving an Agreement between OW Krohn & Associates, LLP and the Town of Highland to Perform Professional Financial Reporting and Support Services.

Whereas, The Town of Highland, through its Town Council, which is the Works Board of the Municipality pursuant to I.C. 36-1-2-24(3), has heretofore determined that the establishment of accessible, organized and accurate annual comprehensive financial report, subject to certain financial guidelines of the State and Federal governments supports transparency and assists in lowering capital costs for future debt financing as well as supporting the maintainance of the ratings for existing debt in the course of repayment and thereby highly desirable;

Whereas, The Clerk-Treasurer reports that owing to limitations in organizational capacity, government accounting standards board (GASB) continually modified reporting rules, and the need to convert existing financial records in to a final comprehensive report suitable to permit the Clerk-Treasurer and staff to prepare additional reports and then compile the comprehensive annual financial report, there is the need to engage professional support and assistance to advise staff and prepare the financial statements to conform to the appropriate standards;

Whereas, O.W. Krohn and Associates, LLP, has offered and presented an letter proposal to provide and furnish professional support and accounting advisory services in consideration for fees to be charged and billed periodically based upon a lump sum of the value of the services completed, including expenses, in a not-to-exceed amount of thirty-five thousand, dollars (\$35,000); and

Whereas, There are sufficient and available appropriations balances on hand to support the payments under the agreement, pursuant to IC 5-22-17-3(e);

Whereas, The Clerk-Treasurer, as purchasing agent in the associated matter, is prohibited from entering into a service agreement that exceeds \$10,000 without the express approval of the purchasing agency, which in this case, is the Town Council, all pursuant to Section 3.05.040 (C) and Section 3.05.050 (B)(1) of the Highland Municipal Code;

Whereas, The Town of Highland, through its Town Council now desires to approve the project and to accept and approve the agreement for services as herein described, authorize the desired not to exceed amount.

Now Therefore Be it Ordered by the Town Council of the Town of Highland, Lake County, Indiana;

Section 1. That the engagement letter proposal to provide and furnish professional support and accounting services in consideration for fees to be charged and billed periodically based upon a lump sum of the value of the services completed, including expenses, in a not-to-exceed amount of thirty-five thousand dollars (\$35,000) between O.W. Krohn and Associates, LLP, and the Town of Highland, is hereby approved, adopted and ratified in each and every respect;

Section 2. That the terms and charges under the agreement to furnish professional support and accounting services related to the comprehensive annual financial report in consideration for fees to be charged and billed periodically based upon a lump sum of the value of the services completed, including expenses, in a not-to -exceed amount of thirty-five thousand dollars (\$35,000) are found to be reasonable and fair;

Section 3. That the Clerk-Treasurer be hereby authorized to appropriately allocate the costs associated with the professional services agreement between and among governmental and utility funds and further to execute the Agreement with his signature.

Be is so Ordered.

DULY, PASSED AND ADOPTED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 10TH day of March 2014 having passed by a vote of 5 in favor and 0 opposed.

TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA

Dan Vassar, President

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer

- Works Board Order No. 2014-06:** A Resolution Approving the 45th and 5th Street Intersection Improvement Project and Approving and Authorizing An agreement between First Group Engineering, Incorporated and the Town of Highland to perform Preliminary Design Engineering and professional services in support Thereof.

Councilor Zemen moved the passage and adoption of Works Board Order No. 2014-06. Councilor Adams seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The works board order was adopted.

The Town of Highland
Order of the Works Board No. 2014-06

A Resolution Approving the 45th and 5th Street Intersection Improvement Project and Approving and Authorizing An agreement between First Group Engineering, Incorporated and the Town of Highland to perform Preliminary Design Engineering and professional services in support Thereof.

Whereas, The Town of Highland, through its Town Council, which is the Works Board of the Municipality pursuant to I.C. 36-1-2-24(3), has heretofore determined that a need exists to improve the intersection of 45th Avenue and 5th Street and to procure design engineering services associated with said street reconstruction and other improvements, to be known as the 45th and 5th Street Intersection Improvement Project (Project); and

Whereas, First Group Engineering, Incorporated has offered and presented an agreement to provide and furnish preliminary or design engineering and professional services in consideration for fees to be charged and billed monthly based upon a lump sum of the value of the scope of engineering services completed as described in the agreement, for an estimated fee of One Hundred Twenty-eight Thousand Eight Hundred Dollars (\$128,000); and

Whereas, There are sufficient and available appropriations balances on hand to support the payments under the agreement, pursuant to IC 5-22-17-3(e); and

Whereas, The Town of Highland, through its Town Council now desires to approve the project and to accept and approve the agreement for services as herein described.

Now Therefore Be it Ordered by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board:

Section 1. That the Town Council hereby determines to proceed with a project for the improvement of the intersection of 45th Avenue and 5th Street to be known as the 45th and 5th Street Intersection Improvement Project;

Section 2. That the Town Council hereby accepts the recommendation of the Public Works Department to accept the proposal of First Group Engineering, Inc. for Professional Engineering and Design Services on the 45th and 5th Street Intersection Improvement Project;

Section 3. That the Professional Engineering and Design Services Agreement, (incorporated by reference and made a part of this Order) between First Group Engineering, Incorporated and the Town of Highland, is hereby approved, adopted and ratified in each and every respect;

Section 4. That the terms and charges under the agreement for preliminary design engineering services in the not to exceed fee amount of One Hundred Twenty-eight Thousand Eight Hundred Dollars (\$128,000) is found to be reasonable and fair;

Section 5. That the Town of Highland, through its Town Council, believes that First Group Engineers has demonstrated professional competence and qualifications to perform the particular professional engineering services called for in the Agreement and associated project, pursuant to I.C. 5-16-11.1-5;

Section 6. That the contract for professional engineering services is subject to the verification of work status provisions of IC 22-5-1.7, including the inclusion or addendum of the necessary language provided in IC 22-5-1.7-11 and the filing of the appropriate affidavit;

Section 7. That the Town Council President be authorized to execute the Agreement with his signature as attested thereto by the Clerk-Treasurer.

Be It So Ordered.

Duly, Passed and Ordered by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board this 10th day of March 2014 having passed by a vote of 5 in favor and 0 opposed.

TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA

Dan Vassar, President

Attest:

Michael Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Town Clerk-Treasurer

CLAUSE (ADDENDUM) and AFFIDAVIT ADDENDUM TO BE ADDED TO CONTRACT FOR SERVICES TO BE PROVIDED TO TOWN OF HIGHLAND (as required by I.C. 22-5-1.7 -11, effective July 1, 2011)

Verification of Work Eligibility Status

1. **DENNIS W. COBB, P.E. , PRESIDENT of FIRSTGROUP ENGINEERING, INC., (hereinafter called "Contractor") understands and agrees that:**

- (A) It is required to enroll in and verify the work eligibility status of all employees hired after the date of this contract through the E-Verify program.
- (B) This requirement shall be waived if the E-Verify program ceases to exist. For the purposes of this paragraph, the "E-Verify program" means the electronic verification of work authorization program of the Illegal Immigration Reform and Immigration Responsibility Act of 1996 (P.L. 104-208), Division C, Title IV, s. 403(a), as amended, operated by the United States Department of Homeland Security or a successor work authorization program designated by the United States Department of Homeland Security or other federal agency authorized to verify the work authorization status of newly hired employees under the Immigration Reform and control Act of 1986 (P.L. 99-603); and

2. An authorized representative of the Contractor has signed the attached affidavit concerning the employment of unauthorized aliens.

This contract clause is developed pursuant to SEA 590 codified as IC 22-5-1.7-11 (a)(1).

Dennis W. Cobb, P.E.

Title: President

Date: _____

AFFIDAVIT OF SERVICE PROVIDER or CONTRACTOR WITH THE TOWN OF HIGHLAND, LAKE COUNTY, INDIANA REGARDING HIRE OF UNAUTHORIZED ALIENS

State of Indiana)
) SS:
County of Lake)

A F F I D A V I T

I, the undersigned, authorized representative, authorized officer or agent of **FIRST GROUP ENGINEERING, INC.**, hereinafter called "contractor", which has a contract for services or goods with the Town of Highland, Lake County, Indiana, having given solemn affirmation, hereby depose(s) and say(s), that the contractor does not knowingly employ an unauthorized alien.

FURTHERETH AFFIANT SAYETH NOT.

Signed: _____ Affiant.
DENNIS W. COBB, P.E., PRESIDENT

Certificate of Notary

On this ____ day of _____, 2014, before me personally came and appeared **the affiant herein named**, known and known to me to be the individual described in and who executed the foregoing instrument, and who duly acknowledged to me that she executed same for the purpose therein contained.

In Witness Whereof, I hereunto set my hand and official seal.

My commission expires: _____.

County of Residence: _____.

(seal)

NOTARY

Affidavit pursuant to IC 22-5-1.7-11

4. Action to approve and ratify letter to the Building Commissioner requesting waiver of filing fees by the Plan Commission associated with the Police Department Building Project. (*Letter on file with the Building and Inspection Department and the Office of the Clerk-Treasurer*) It was noted that that under Section 15.10.090 (D) of the Municipal Code, building permit fees were not chargeable.

The Clerk-Treasurer reported a letter he composed and sent in the name of the Town requesting a waiver of filing fees associated with the subdivision process. It was noted that the action was communicated to the Town Council President. However, it would be appropriate for the Town Council for formally authorize and approve the request.

Councilor Zemen moved to authorize and approve the transmission of a letter to the Building Commissioner requesting that the Plan Commission waive any filing fees related to subdivision process filed in association with the Police Station Project, and ratify the action of the Clerk-Treasurer. Councilor Herak seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The transmission of a letter requesting the waiver of filing fees and ratification of the action of the Clerk-Treasurer was authorized and approved.

5. Action to approve overtime payments for Exempt Salaried Personnel, pursuant to Section 3 of Ordinance No. 1511 the Wage and Salary Ordinance, as amended and Section §4.03.01 of the Compensation and Benefits Ordinance. This waives the provisions of Section § 2.01 of the Compensation and Benefits Ordinance.

5.1 The Metropolitan Police Chief requests favorable action for R. Potesta, who is an exempt salaried employee, and investigations division commander, in the amount of \$300 for work associated with Highland Grove Mall Special Security.

Councilor Kuiper moved that the overtime for the exempt salaried supervisor named above be approved. Councilor Adams seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The overtime pay as described was authorized and approved.

6. **Works Board Order No. 2014-07:** An Order Approving and Authorizing the Metropolitan Police Chief to Purchase from Lakeshore Ford of Chesterton, IN through the State of Indiana (2) two 2014 Ford Utility Police Interceptor Base, pursuant to I.C. 5-22-8-2.

Councilor Adams moved the passage and adoption of Works Board Order No. 2014-07. Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The works board order was adopted.

Order of the Works Board 2014-07

An Order Approving and Authorizing the Metropolitan Police Chief to Purchase from Lakeshore Ford of Chesterton, IN through the State of Indiana (2) two 2014 Ford Utility Police Interceptor Base pursuant to I.C. 5-22-8-2.

Whereas, The Town of Highland Metropolitan Police Department, as part of its public duties, has a responsibility for patrol, public safety and protection of life and property throughout the Town of Highland and, from time to time, it is necessary to purchase and or lease materials and supplies in order to carry out the functions of the department; and

Whereas, The Metropolitan Police Chief has determined a need to replace certain equipment and supplies and has further determined the purchase price will be below \$50,000.00.

Whereas, the Metropolitan Police Chief has identified Lakeshore Ford of Chesterton, IN through the State of Indiana to be a desirable source vendor for the purchase of two (2) 2014 Ford Utility Police Interceptor Base at price of \$51,962.00 minus the trade-ins of \$14,500 for a total of \$37,462.00.

Whereas, The Metropolitan Police Chief reports that bids were solicited, opened and read aloud on February 25, 2014 at the Highland Municipal Building pursuant to Section 3.05.060 (A)(3) of the Highland Municipal Code.

Whereas, the price for the purchase exceeds \$10,000.00 and, pursuant to Section 3.05.040 (C) as well as Section 3.05.050 (C)(1) of the Highland Municipal Code requires the express approval of the purchasing agency; and

Whereas, The Town Council as the Works Board of the Municipality, pursuant to Section 3.05.030 (A)(1)(b) of the Highland Municipal Code serves as the purchasing agency for the Metropolitan Police Department; and

Whereas, The Metropolitan Police Chief, pursuant to Section 3.05.050 (D)(2) of the Highland Municipal Code, serves as the Purchasing Agent for the Metropolitan Police Department; and

Whereas, The Purchasing Agent, pursuant to Section 3.05.060 (G)(1) of the Highland Municipal Code, expected that the purchase would not be in excess of \$50,000.00 and therefore, would like to purchase in the open market in accordance with 3.05.060 (G)(1) of the Highland Municipal Code; and

Whereas, The purchase of the vehicle will be supported by the Municipal Capital Cumulative Fund (MCCD).

Whereas, The Town Council now desires to approve and authorize the Police Chief to complete the purchase pursuant to the terms and stated herein.

Now, Therefore Be It Ordered by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board of Municipality:

Section 1: That the Works Board hereby authorizes and approves the purchase from Lakeshore Ford of Chesterton, to be a desirable source vendor for the purchase of two (2) 2014 Ford Utility Police Interceptors at the price of \$51,962.00 minus the trade-ins of \$14,500.00, pursuant to IC 5-22 and Section 3.05.060 (F)(1) and (3) of the Highland Municipal Code;

Section 2: That the Works Board hereby finds and determines that the purchase as an individual purchase represents a duly executed purchase pursuant to IC 5-22 and Section 3.05.060 (F)(1) and (3) of the Highland Municipal Code;

Section 3: That the Metropolitan Police Chief is now authorized and approved to execute the purchase agreement and any additional documents in order to implement this purchase and then file these documents as financial materials with the Office of the Clerk-Treasurer, pursuant to IC 36-5-4-14.

Be It So Ordered.

DULY, PASSED, ADOPTED AND ORDERED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 10th day of March, 2014 having passed by a vote of 5 in favor and 0 opposed.

TOWN COUNCIL OF THE
TOWN OF HIGHLAND, INDIANA

/s/Dan Vassar, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO

Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

Comments **from the Town Council Members**
(For the Good of the Order)

- **Councilor Bernie Zemen:** *Chamber of Commerce Liaison • Liaison to the Board of Waterworks Directors.*

Councilor Zemen commended his radio program broadcast on local radio station WJOB 1230 AM on Tuesday at 8:30 a.m.

Councilor Zemen acknowledged the Parks and Recreation Superintendent who offered a brief survey of parks and recreation activity and projects.

- **Councilor Mark Herak:** *Park and Recreation Board Liaison • Budget and Finance Chair • Liaison to the Board of Sanitary Commissioners • Liaison to the Community Events Commission • Liaison to the Park and Recreation Board.*

Councilor Herak expressed birthday wishes to Councilors Adams and Kuiper, both of whom were observing birthdays on March 10.

Councilor Herak acknowledged the Public Works Director who reported on the activities of the Waterworks District, the Sanitary District and the Street Division.

Councilor Herak also noted that the Board of Sanitary Commissioners was seeking a joint meeting with the Town Council in order to brief it on projects and issues related to the plans to limit overflows and the status with the City of Hammond Sanitary District.

- **Councilor Dennis Adams:** • *Liaison to the IT Consultant.*

Councilor Adams recognized the IT Consultant, Ed Dabrowski, who offered a brief survey of the status of the COMCAST conversion for Public Works and Parks and Recreation Departments.

Councilor Adams further inquired of the Building Commissioner about the status of the demolition of the building site of the former Chela's Restaurant on 45th Avenue.

Councilor Adams recognized the Scott Cherry of Skillman Corporation to offer a brief status report on the progress of the Police Station Construction Project. It was noted that the houses that were still occupying the properties acquired for the project, would be demolished on May 1.

- **Councilor Konnie Kuiper:** • *Fire Department, Liaison • Town Board of Metropolitan Police Commissioners Liaison • Chamber of Commerce Liaison.*

Councilor Kuiper expressed appreciation for all the workers who worked on water breaks in the inclement weather.

- **Council President Dan Vassar:** • *Municipal Executive • Chairman of the Board of Trustees of the Police Pension Fund (1925 Law) • Redevelopment Commission Liaison.*

Councilor Vassar recognized the Redevelopment Director who offered a cursory overview of on-going redevelopment activities. She further noted that the Redevelopment Commission was moving forward with plans to issue special taxing district bonds.

Comments from Visitors or Residents:

There were no comments.

Payment of Accounts Payable Vouchers. There being no comments from the public, Councilor Zemen moved to allow the vendors accounts payable vouchers as filed on the pending accounts payable docket, covering the period February 25, 2014 through March 10, 2014. Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The accounts payable vouchers for vendors were allowed and the Clerk-Treasurer was authorized to make payment.

Vendors Accounts Payable Docket:

General Fund, \$187,072.17; Motor Vehicle Highway and Street (MVH) Fund, \$52,611.63; Law Enforcement Training and Supply Fund, \$686.87; FSA Agency Fund, \$841.92; Insurance Premium Fund, \$140,212.43; Gasoline Fund, \$26,033.42; Information and Communications Technology Fund, \$4,991.79; Civil Donation Fund, \$7,500.00; Municipal Cumulative Capital Development Fund, \$1,169.00; Traffic Violations and Law Enforcement Agency Fund, \$4,713.00; Total: \$425,832.23.

Study Session Following Meeting. The Town Council President announced that the Town Council would be meeting in an informal Study Session immediately following the meeting to discuss matters related to the Police Station Project.

Adjournment. Councilor Kuiper moved that the plenary meeting be adjourned. Councilor Adams seconded. Upon a vote *viva voce*, the motion passed. The regular plenary meeting of the Town Council of Monday, March 10, 2014 was adjourned 7:35 O'clock p.m. A study session followed the plenary meeting.

Study Session. The Twenty Seventh Town Council of the Town of Highland, Lake County, Indiana met in a study session following the regular meeting on Monday, March 10, 2014 at 7:42 p.m. in the small conference meeting room adjoining the Building and Inspection Department of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

Silent Roll Call: Councilors Bernie Zemen, Mark Herak, Dennis Adams, Konnie Kuiper and Dan Vassar were present. The Town Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

Also Present: Larry Moes, Town Board of Metropolitan Police Commissioners; Pete Hojnicky, Metropolitan Police Chief; Police Commander George Georgeff, Police Department; and Scott V. Cherry, Senior Vice President of the Skillman Corporation were also present.

General Substance of Matters Discussed.

1. The Town Council and the Representatives from the Police Department discussed the several full color drawings of external building designs.

The discussion included choices regarding the design and location of the lobby and its use during daytime hours and evening hours.

The discussion included the request from the Architect that the Leadership determine and then communicate to him the preferred designs, from the drawings provided.

The Police Department representatives and Mr. Cherry departed following the end of the preceding discussion.

2. The Town Council discussed the remaining appointments generally and the appointment to the Town Board of Metropolitan Police Commissioners in the seat that had most recently been occupied by James Turoci. It was noted that the position was now vacant owing by operation of IC 36-1-8-10(c), having passed the 60 days following the end of the term. During the discussion the Town Council President indicated that he would schedule interviews with applicants who had expressed interest in serving on the Commission to be conducted before the Town Council.
3. The Town Council discussed recent difficulties with compliance and enforcement of the Snow Routes and the parking rules that prohibit parking on designated snow routes within eight hours and all other streets within twenty-four hours following accumulation of snowfall on one inch or more.

The discussion included whether the ordinance should be modified to prohibit parking altogether or to trigger the regulatory parking prohibitions after any snowfall regardless of amount. No consensus emerged except that a plan should be determined and a meeting with the Police Chief, the Public Works Director and the Building Commissioner were desirable.

4. The Town Council President discussed a communication he received from Margie Adams of Texture Pointe, a business in town, regarding her reasons for a delayed payment for her 2014 Business license, which arrived after March 1. At that time the business license fee increases from \$25 to \$50. She was seeking a waiver to permit her to pay only the \$25 dollars. It was noted that the matter was first raised with the Office of the Clerk-Treasurer and the matter was referred to the Town Council President. Councilor Adams indicated that he knew Ms. Adams and would contact her about the possibility of a waiver.

There being no further business, the study session immediately following the plenary business meeting of March 10, 2014 ended at 9:00 o'clock p.m.

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer